



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 FDD 401-222-4462

November 7, 2008

David M. Webster
Chief, Industrial Permits Branch
Office of Ecosystem Protection
U.S. Environmental Protection Agency
Region 1
1 Congress Street; Suite 1100
Boston, MA 02114-2023

RE: 401 Water Quality Certification – Vessel General Permit
WQC File No. 08-040
U.S. EPA Application No. WQC-200801845/WQC-200801846

Dear Mr. Webster,

The RIDEM-Office of Water Resources (OWR) has reviewed the general permit entitled “National Pollutant Discharge Elimination System (NPDES) Vessel General Permit for Discharges Incidental to the Normal Operation of Commercial and Large Recreational Vessels” (VGP Document) for compliance with Section 401 of the Clean Water Act and the Rhode Island Water Quality Regulations.

It is the determination of the Water Quality Certification Program that said project is in compliance with the requirements of Section 401 of the Clean Water Act and the State Water Quality regulations provided that the applicant complies with the VGP Document and the following conditions.

1. In accordance with the Rhode Island Water Quality Regulations (including but not limited to Rule 17) and all other applicable laws and regulations, the Director may modify, suspend, or revoke, in whole or in part this water quality certification for a specific vessel that is authorized or is seeking authorization to discharge under the VGP.
2. In accordance with the Rhode Island Water Quality Regulations (including but not limited to Rule 17) and all other applicable laws and regulations, the Director may modify, suspend, or revoke, in whole or in part this water quality certification for the VGP.
3. Nutrient impaired waters shall be those referenced in the State’s most current 303D list.
4. A map identifying all nutrient impaired waters and biodiversity-impaired waters within the State of Rhode Island shall be included in all permits issued under this general permit.

5. This Water Quality Certificate shall expire five (5) years from the date of issuance.

This is the State's Water Quality Certification, which shall have the full force and effect of a permit issued by the Director.

Sincerely,



Angelo S. Liberti, PE
Chief, Surface Water Protection
Rhode Island Department of Environmental Management

ASL/TJW

cc: Jeff Willis, CRMC
Sara Green, U.S. EPA
Alicia M. Good, RIDEM
Alisa Richardson, RIDEM
Terry Walsh, RIDEM
Eric Beck, RIDEM/RIPDES
John Torgan, Save the Bay